2001 ASSEMBLY BILL 273

March 30, 2001 – Introduced by Representatives Ainsworth, Berceau, Black, Bock, Hoven, Jeskewitz, Kaufert, F. Lasee, Montgomery, Owens, Rhoades, Townsend and Urban, cosponsored by Senators Cowles, Darling and Huelsman. Referred to Committee on Transportation.

- AN \overline{ACT} to renumber and amend 348.10 (2); and to create 348.10 (2) (b) and
- 2 (c) of the statutes; **relating to:** transporting loads on a highway in vehicles equipped with dump bodies and providing a penalty.

Analysis by the Legislative Reference Bureau

Under current law, no person may operate a vehicle on a highway unless the vehicle is so constructed and loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping from the vehicle. A forfeiture of not less than \$10 nor more than \$200 may be imposed for violating this provision.

This bill specifies that any vehicle that is equipped with a dump body and that is carrying any load extending above the top of the dump body must be covered when being operated on a highway to prevent the load from dropping or sifting from the vehicle. This requirement does not apply to a vehicle temporarily operated on a highway between fields or between a farm and a field. Failure to comply with this provision may result in a forfeiture of not less than \$10 nor more than \$200.

The bill specifies that both of these provisions do not apply to a vehicle that is applying bulk material to a highway for highway construction or maintenance.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

- **SECTION 1.** 348.10 (2) of the statutes is renumbered 348.10 (2) (a) and amended
- 5 to read:

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348.10 (2) (a) No person shall may operate a vehicle on a highway unless such
vehicle is so constructed and loaded as to prevent its contents from dropping, sifting
leaking, or otherwise escaping therefrom.

Section 2. 348.10 (2) (b) and (c) of the statutes are created to read:

348.10 (2) (b) Notwithstanding par. (a), no person may operate on a highway a vehicle that is equipped with a dump body and that is carrying any load extending above the top of the dump body unless the vehicle is so loaded and covered as to prevent the load from dropping or sifting from the vehicle. This paragraph does not apply to a person while temporarily operating a vehicle on a highway between fields or between a farm and a field.

(c) This subsection does not apply to the application of a bulk material to a highway for the purpose of maintenance or construction of the highway.

13 (END)